

Remarks

In response to the Examiner's rejection of claims 1-36 under 35 USC §112, for being indefinite, applicant has amended claims 1-36 to remove the indefiniteness, to provide antecedent basis and otherwise render amended claims 1-36 more clear.

Applicant submits that, as so amended, the claims are now clear and definite and clear of the section 112 rejection.

With regard to the US Patents cited applicant does not see how the Hammond et al. US Patent No. 6,237,722 is linked to the subject matter claimed in claims 1-36. The Hammond et al. patent illustrates a device which only signals if the handbrake of a train is pulled. This device is essentially a sensor with has nothing to do with the entire resetting mechanism for the train's handbrake. The Hammond et al. device is applied to the handbrake, not the train's main brake system, as is the case in of the subject matter claimed in claims 1-36.

The Billingsley et al. US Patent No. 4,368,927 illustrates an automatic reset system, again for the handbrake on a train. Also in this case, there are no elements in common with the subject matter claimed in claims 1-36, as the handbrake in a train is a device which is activated manually by the operator when the train is stationary to prevent a carriage shifting and making small movements on the rail when unattended. The handbrake is activated in each individual carriage, not throughout the train like the emergency brake. The emergency brake is a device which is used to brake the train when it is moving and its operation has effect on the train's entire brake system and it is separate from and independent of the handbrake.

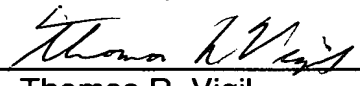
The Burgei et al US Patent No. 4,795,002 describes an electrically operated actuator for rear parking brake. The first important difference consists in the fact that this is an electrical device, while the one described in the subject application is mechanical and does not include any electrical parts. In fact, as described in the

background art, in the event of a fire, the first devices to become inoperative are the electrical ones (there is an electro-mechanical emergency brake in existence but it has a number of drawbacks and is wholly unusable in the event of an electrical failure or a fire). The second difference as far as applicant can see, is that the Burgei et al. device cannot be applied to a railway carriage as its operation has effect on the rear brakes of vehicles whose brake system is separated between the front and rear brakes (which would be impossible in a train). It seems that the two patents have only the presence of toothed wheels (26 and 34) and "stop members" (40 and 42) which have something in common with the subject matter disclosed in the subject application, but nothing else from either a conceptual, structural or functional point of view.

In summary, applicant submits that the amended claims 1-36 are now clear and definite and otherwise clear of the art of record herein and in condition for allowance. An early and favorable action to that end is requested.

Respectfully submitted,

WELSH & KATZ, LTD.

By 
Thomas R. Vigil
Reg. No. 24,542

WELSH & KATZ, LTD.
120 South Riverside Plaza – 22nd Floor
Chicago, Illinois 60606
(312) 655-1500

Dated: February 4, 2005